

Notice of Allowability

Application No.

09/841,460

Examiner

Hoang-Vu A. Nguyen-Ba

Applicant(s)

LEPEJIAN ET AL.

Art Unit

2192

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 2/17/05.
2. ☒ The allowed claim(s) is/are 1-3, 6-20, 23-35, 38-52, 55-69 and 72-83.
3. ☒ The drawings filed on 24 April 2001 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☒ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

Hoang Vu A. Nguyen-Ba

**ANTONY NGUYEN-BA
PRIMARY EXAMINER**

**EXAMINER'S AMENDMENT and
EXAMINER'S STATEMENT OF REASON FOR ALLOWANCE**

1. This action is responsive to amendment filed February 17, 2005.

Oath/Declaration

2. The oath or declaration is defective because:

Applicant has not given a post office address anywhere in the application papers as required by 37 CFR 1.33(a), which was in effect at the time of filing of the oath or declaration. A statement over applicant's signature providing a complete post office address is required.

Response to Amendments

3. Per Applicants' request, claims 1, 6, 17, 20, 34, 35, 38, 49, 50, 55, 66, 67, 72 and 83 have been amended; claims 4, 5, 21, 22, 36, 37, 53, 54, 70 and 71 have been canceled. Claims 1-3, 6-20, 23-35, 38-52, 55-69 and 72-83 remain pending.

Response to Arguments

4. Applicant's arguments, see Remarks, pp. 17-23, filed February 17, 2005, with respect to claims 1-3, 6-20, 23-35, 38-69 and 72-83 have been fully considered and are persuasive. The rejection of claims 1-3, 6-13, 15, 17-20, 23-30, 32, 38-45, 47, 50-52, 55-62, 63, 66, 72-80 and 82 under 35 U.S.C. § 102(b) as being anticipated by Heuristic Physics Laboratories, Inc.'s Workflow View User's Guide and that of claims 14, 16, 31, 33-35, 46, 48-49, 64-65, 68-69 and 81 under 35 U.S.C. § 103(a) as being unpatentable over Heuristic Physics Laboratories, Inc.'s Workflow View User's Guide In view of Applicants' amendments to of Heuristic Physics Laboratories, Inc.'s Switch Engine, User Manual have been withdrawn.

Examiner's Amendment

5. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with William Wilbar, Reg. No. 43,265 on May 25, 2005.

The application has been amended as follows:

Claim 17: delete the redundant period at the end of the claim.

Claim 20: delete the redundant period at the end of the claim.

Claim 23:

- a. in line 1, after "according to claim", delete "22" and insert – 20 –
- b. in line 5, after "prior execution of said", delete "interactive application program" and insert – user interactive program –

Examiner's Statement of Reason for Allowance

6. Claims 1-3, 6-20, 23-35, 38-52, 55-69 and 72-83 are allowed.

7. The following is an Examiner's statement of reason for allowance.

The prior art of record teach or suggest user's interaction with software applications and how to select different types of data from databases. Specifically, the prior art of record when taken alone or in combination fail to teach or suggest the following features considered in combination with the remaining features of independent claims 1, 17, 20, 34, 35, 49, 50, 66, 67 and 83:

at least one of said plurality of objects has at least one interactively alterable operation parameters during execution of said user interactive program and wherein said interactively alterable operation parameter provides a parameter for data extraction for use in said use interactive program;

a first one of said plurality of objects being a first input object for extracting first specified data from a first selected database; and

a second one of said plurality of objects being a second input object for extracting second specified data from a second selected database having a different schema than said first selected database.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

8. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Hoang-Vu A. Nguyen-Ba whose telephone number is (571) 272-3701. The Examiner can normally be reached on Tuesday-Friday, 7:15 – 17:45.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's Supervisor, Tuan Dam can be reached at (571) 272-3695.

The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Any inquiry of a general nature or relating to the status of this application should be directed to the TC 2100 Group receptionist: 571-272-2100.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, reading "Anthony Nguyen-Ba". The signature is fluid and cursive, with the first name "Anthony" being more prominent and the last name "Nguyen-Ba" following in a similar style.

ANTHONY NGUYEN-BA
PRIMARY EXAMINER

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May 26, 2005